

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

In re:

SAFETY-KLEEN CORP., et al.,
Debtors.

Case No. 06-0354 (GMS)

**STATUS REPORT REGARDING CLAIMS OF
DONNA M. BORTHWICK AND WILLIAM R. BORTHWICK**

Pursuant to D. Del. L.R. 16.2(b), Oolenoy Valley Consulting LLC, as trustee of the Safety-Kleen Creditor Trust hereby submits the following status report with respect to the claims of Donna and William Borthwick addressing each agenda item contained in the Court's April 13, 2007 Order¹:

I. JURISDICTION AND SERVICE

The Court has subject matter jurisdiction over this proceeding pursuant to 28 U.S.C. §§ 157(b)(6) and 1334. There are no issues regarding personal jurisdiction and no parties remain to be served.

II. SUBSTANCE OF THE ACTION

This is a contested matter arising out of the Chapter 11 bankruptcy cases of Safety-Kleen Corp. and its affiliated debtors in the United States Bankruptcy Court for the District of Delaware. By its motion filed September 11, 2006, the Trustee seeks an order pursuant to 11 U.S.C. § 502(c) estimating the value of Claimants' claims, No. 4933 and 16447,

¹ In accordance with the Court's April 13, 2007 Order, counsel for the Trustee has attempted to confer with Claimant's counsel for purposes of conferring regarding the matters required to be addressed in the Joint Status Report, although counsel for the Claimant has declined to respond.

pending in the case of Safety-Kleen Systems, Inc. By their claims, Claimants seek a distribution from the debtors' estates on account of personal injuries allegedly suffered as the result of an automobile accident involving a vehicle allegedly operated by an agent of the Debtors which occurred on or about March 12, 1993.

III. IDENTIFICATION OF ISSUES

The Trustee disputes the Debtors' liability for the injuries alleged by the Claimants. The Trustee also disputes the amount of Claimants' damages should liability be found.

IV. NARROWING OF THE ISSUES

At this time, it does not appear that the issues can be narrowed by agreement or motion. However, as with any case, the issues in dispute may be narrowed through discovery and by decisions on dispositive motions.

V. RELIEF

Claimants are seeking unspecified damages of at least \$1,100,000 arising from a March 12, 1993 automobile accident. Damages, if any, would need to be determined by the Court.

VI. AMENDMENT OF PLEADINGS

The Trustee does not currently anticipate any amendment to the pleadings and the parties propose that a cut-off date of May 31, 2007 be placed in the Scheduling Order.

VII. JOINDER OF PARTIES

The Trustee does not currently anticipate the joinder of any additional parties and propose that a cut-off date of May 31, 2007 be placed in the Scheduling Order.

VIII. DISCOVERY

a. Trustee's Statement. The Trustee served written discovery requests directed to the issues raised in the Claimants' claim on November 1, 2006. To date, and despite requests by counsel for the Trustee, Claimant has failed to respond.

b. The Trustee believes that fact depositions should be limited to five per party with a limit of seven hours per deposition, subject to either party requesting additional depositions and/or time upon a showing of good cause. The Trustee also believes that all fact and expert discovery should be instituted so that it is completed on or before August 27, 2007.

c. The Trustee believes that Claimants should identify and serve initial expert reports for their experts on or before June 30, 2007, with the Trustee to identify and serve initial reports for its experts, if any, by August 15, 2007. The Trustee likewise believes that expert depositions should be permitted of all identified testifying experts, including any treating physicians or medical experts, subject to the limits noted above. The Trustee does not believe that any less costly or less time consuming methods are available to obtain the necessary information.

IX. ESTIMATED TRIAL LENGTH

The Trustee believes that the trial in this matter will last approximately one day.

X. JURY TRIAL

No jury trial has been requested and the Trustee does not believe that there is a right to a jury trial in an estimation proceeding conducted pursuant to 11 U.S.C. § 502(c).

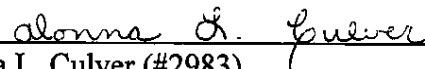
XI. SETTLEMENT

At this time there have not been any substantive settlement discussions. The parties believe that this matter might be properly referred to the United States Magistrate for the purpose of exploring the possibility of a settlement.

XII. STATEMENT OF CONFERENCE

The undersigned counsel has attempted to confer with counsel for the Claimant concerning the above-referenced matters but counsel for the Claimant has declined to respond.

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April 25, 2007

CERTIFICATE OF SERVICE

I, Donna L. Culver, certify that I am not less than 18 years of age, and that service of the foregoing **Joint Status Report Regarding Claim Of Donna M. Borthwick And William R. Borthwick** was caused to be made on April 25, 2007, in the manner indicated upon the parties identified on the attached service list.

Date: April 25, 2007

/s/ Donna L. Culver

Donna L. Culver (#2983)

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